



1FW 1651

PATENT
Attorney Docket No. 00942-04

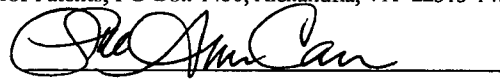
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Applicant:</i>	John C. Herr, et al.	}	<i>Customer No.</i>	34444
<i>Serial No.</i>	10/577,983	}	<i>Art Unit:</i>	1651
<i>Filing Date:</i>	May 2, 2006	}	<i>Examiner:</i>	Allison M. Ford
<i>Title:</i>	Glans Compatible Semen Collection and Storage Device, Kit and Related Methods of Use			

Certificate of Mailing Under 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service using First Class Service under 37 C.F.R. §1.8 on the date indicated below and is addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: April 27, 2007


Sue Ann Carr

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)(3)**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find an Information Disclosure Statement for the above identified application, consisting of Form PTO/SB/08A referencing 14 US patents and two US publications, Form PTO/SB/08B, and copies of five (5) references. The Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits per 37 C.F.R. §1.97(b)(3).

Applicants respectfully submit that the filing of this Information Disclosure Statement is not a representation that a prior art search was conducted or that the information cited is material to the patentability of the invention as defined in 37 CFR §1.56, or that any cited document is prior art. Applicants request that the Examiner consider the references, determine their relevance to the present application, if any, and list the references on the face of any patent which may issue from the present application. Applicants further request that an initialed copy of Forms PTO/SB/08A and PTO/SB/08B be returned to applicants.

No fees are believed to be due for this submission. If this belief is in error, the Commissioner is hereby authorized to charge any fees due for this submission to Deposit Account No. 50-0423, as well as credit any refunds.

Respectfully submitted,

April 27, 2007

A handwritten signature in black ink, appearing to read "R. Decker", written over a horizontal line.

Robert J. Decker

Registration No. 44,056

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/577,983
Filing Date	05/02/2006
First Named Inventor	John C. Herr
Art Unit	1651
Examiner Name	Allison M. Ford
Attorney Docket Number	00942-04

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/M.H./ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓	1	US- 3401696	9/17/1968	O'Brien	throughout
	2	US- 4690678	09/01/1987	Douglass-Hamilton	throughout
	3	US- 5055411	10/08/1991	Ericsson	throughout
	4	US- 5068089	11/26/1991	Ericsson	throughout
	5	US- 5244453	09/14/1993	Osbon	throughout
	6	US- 5501650	03/26/1996	Gellert	throughout
	7	US- 5569225	10/29/1996	Fleury	throughout
	8	US- 5605803	2/25/1997	Herr	throughout
	9	US- 5961503	10/05/1999	Simmet	throughout
	10	US- 6113532	09/05/2000	Yap	throughout
	11	US- 6149580	11/21/2000	Dabney	throughout
	12	US- 6493884	12/17/2002	Muller	throughout
	13	US- 6699226	03/02/2004	Velazquez	throughout
	14	US- 6864046	03/08/2005	Prien	throughout
	15	US- 20010044087	11/22/2001	Kontos	throughout
	16	US- 20030148365	08/07/2003	Morgan	throughout
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

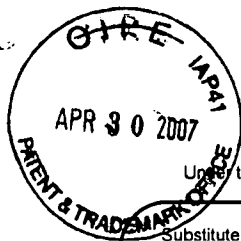
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b (09-06)

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Sheet

1

of

1

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Application Number	10/577,983
Filing Date	05/02/2006
First Named Inventor	John C. Herr
Art Unit	1651
Examiner Name	Allison M. Ford
Attorney Docket Number	00942-04

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/M.H./ ↓ ↓ ↓ ↓ ↓	A	Mamar, J.L., Praiss, D.E. and Debenedictis, T.J., "Statistical Comparison of the Parameters of Semen Analysis of Whole Semen Versus the Fractions of the Split Ejaculate," Fertility & Sterility, 30(4):439-443, 1978 Oct.	
	B	Adoni, A. and Palti, Z., "Better Postcoital Test for Oligospermic Patients Using Split Ejaculate Artificial Insemination," Fertility & Sterility, 31(5):587-588, 1979 May.	
	C	Propping, D., Katzorke, T. and Tauber, P.F., "Further Evaluation of the Split Ejaculate for Artificial Insemination," European J. of Obstetrics, Gynecology & Reproductive Biology, 11(6):385-394, 1981 May.	
	D	Schill, W.B. and Littich, M., "Split Ejaculate Insemination With and Without the Addition of Kallikrein," Andrologia, 13(2):121-126, 1981 Mar-Apr.	
	E	Sokol, R.Z., Madding, C.I., Handelsman, D.J. and Swerdloff, R.S., "The Split Ejaculate: Assessment of Fertility Potential Using Two in Vitro Test Systems," Andrologia, 18(4):380-386, 1986 July-Aug.	

Examiner
Signature

/Melanie Hand/

Date
Considered

12/11/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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